

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION

In re: ERIC J. STORLAZZI)	
<u>Debtor(s)</u>)	
)	CHAPTER 13
QUANTUM3 GROUP, AS AGENT FOR)	
MOMA TRUST, LLC, AN ASSIGNEE OF)	
SIERRA AUTO FINANCE)	Case No.: 17-17926 (AMC)
<u>Moving Party</u>)	
)	Hearing Date: 1-8-19 at 11:00 AM
v.)	
)	11 U.S.C. 362
ERIC J. STORLAZZI)	
<u>Respondent(s)</u>)	
)	
WILLIAM C. MILLER)	
<u>Trustee</u>)	
)	

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Quantum3 Group, As Agent For MOMA Trust, LLC, an assignee of Sierra Auto Finance (“Quantum3”) filing this its Motion For Relief From The Automatic Stay (“Motion”), and in support thereof, would respectfully show:

1. That on November 24, 2017, Eric J. Storlazzi filed a voluntary petition under Chapter 13 of the Bankruptcy Code.
2. This Court has jurisdiction of the Motion by virtue of 11 U.S.C. 105, 361, 362, and 28 U.S.C. 157 and 1334.
3. On September 3, 2016, the Debtor entered into a retail installment contract for the purchase of a 2015 Nissan Sentra bearing vehicle identification number 3N1AB7AP3FY216249. The contract was assigned to Sierra Auto Finance and the Debtor became indebted to Sierra Auto Finance in accordance with the terms of same. Sierra Auto Finance is designated as first lien holder on the title to the vehicle and holds a first purchase money security interest in the vehicle. Quantum3 Group acts as agent for MOMA Trust LLC, an assignee of Sierra Auto

Finance. A true copy of the contract and title inquiry to the vehicle are annexed hereto as Exhibits A and B.

4. As of November 21, 2018, the Debtor's account with Quantum3 had a net loan balance of \$13,133.23.

5. According to the November 2018 NADA Official Used Car Guide, the vehicle has a current retail value of \$11,500.00.

6. The Debtor's account is past due post-petition from February 18, 2018 to November 18, 2018 with arrears in the amount of \$3,121.90.

7. Quantum3 Group, As Agent For MOMA Trust, LLC, an assignee of Sierra Auto Finance alleges that the automatic stay should be lifted for cause under 11 U.S.C. 362(d)(1) in that Quantum3 lacks adequate protection of its interest in the vehicle as evidenced by the following:

(a) The Debtor is failing to make payments to Quantum3 and is failing to provide Quantum3 with adequate protection.

WHEREFORE PREMISES CONSIDERED, Quantum3 Group, As Agent For MOMA Trust, LLC, an assignee of Sierra Auto Finance, respectfully requests that upon final hearing of this Motion, (1) the automatic stay will be terminated as to Quantum3 to permit Quantum3 to seek its statutory and other available remedies; (2) that the stay terminate upon entry of this Order pursuant to the authority granted by Fed.R.Bank.P., Rule 4001(a)(3) and (3) Quantum3 be granted such other and further relief as is just.

Respectfully submitted,

/s/ William E. Craig

William E. Craig

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Local Counsel for Quantum3 Group,

As Agent For MOMA Trust, LLC

an assignee of Sierra Auto Finance